

05 NOV 1999

US

FORM PTO-1390
(REV 10-97)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DATE: November 5, 1999

EXPRESS MAIL LABEL NO.
EL368757437USATTORNEY DOCKET NO.
36368/DRK

U.S. APPLICATION NO.

09/423401

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED
November 6, 1998

TITLE OF INVENTION

METHOD OF SELECTIVE POST-GROWTH TUNING OF AN OPTICAL BANDGAP OF A SEMI-CONDUCTOR HETEROSTRUCTURE AND PRODUCTS PRODUCED THEREOF

APPLICANT(S) FOR DO/EO/US

LI, Gang and CHUA, Soo Jin

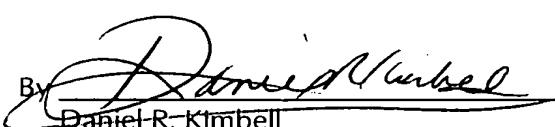
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1)).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **UNEXECUTED**
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items below concern other document(s) or other information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 - A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Small entity claim with a copy of this transmittal letter attached.
17. International search report.
18. International preliminary examination report.
19. Formal Drawings (14 sheets)
20. Copy of Singapore Application No. 9804027-2 filed November 6, 1998
21.

11/05/99 JC962 US PTO 09/423401 11/05/99

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY DOCKET NO. 36368/DRK																					
<input checked="" type="checkbox"/> <u>09/423401</u> <small>Note (1) below</small>		CALCULATIONS <small>PTO USE ONLY</small>																					
Basic National Fee (37 CFR 1.492(a)(1)-5): Search Report has been prepared by the EPO or JPO \$ 840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 760.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00																							
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 760																							
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Claims</th> <th style="width: 25%;">Number Filed</th> <th style="width: 25%;">Number Extra</th> <th style="width: 25%;">Rate</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>28 -20=</td> <td>8</td> <td>X \$18</td> </tr> <tr> <td>Independent Claims</td> <td>4 -3=</td> <td>1</td> <td>X \$78</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td>+ \$260</td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS = \$ 222</td> </tr> </tbody> </table>				Claims	Number Filed	Number Extra	Rate	Total Claims	28 -20=	8	X \$18	Independent Claims	4 -3=	1	X \$78	Multiple dependent claim(s) (if applicable)			+ \$260	TOTAL OF ABOVE CALCULATIONS = \$ 222			
Claims	Number Filed	Number Extra	Rate																				
Total Claims	28 -20=	8	X \$18																				
Independent Claims	4 -3=	1	X \$78																				
Multiple dependent claim(s) (if applicable)			+ \$260																				
TOTAL OF ABOVE CALCULATIONS = \$ 222																							
Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).																							
SUBTOTAL = \$ 222																							
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																							
TOTAL NATIONAL FEE = \$																							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property																							
TOTAL FEES ENCLOSED = \$ 982																							
Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable.		Amount to be: refunded \$																					
		charged \$																					
a. <input checked="" type="checkbox"/> A check in the amount of \$ 982 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1728</u> . A duplicate copy of this sheet is enclosed.																							
NOTE (2): Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																							
SEND ALL CORRESPONDENCE TO: Daniel R. Kimbell CHRISTIE, PARKER & HALE P.O. Box 7068 Pasadena, CA 91109-7068																							
 By <u>Daniel R. Kimbell</u> Daniel R. Kimbell Reg. No. 34,849																							

**facsimile
TRANSMITTAL**

Date: November 26, 2002

No. of Pages: 13 (including this cover sheet)

Fax No: (703) 308-6459

11/05/99
JCS62
U.S. PTO

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

Name: Commissioner for Patents

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26 NOV 2002

Examiner: Rafael Bacares

Legal Staff

Phone: (703) 308-6312

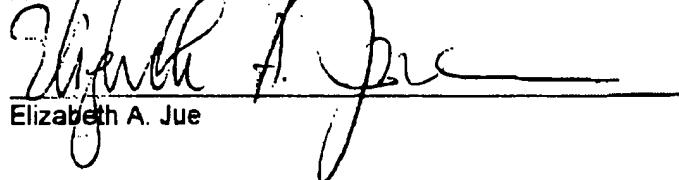
International Division

From: Daniel R. Kimbell
Reg. No. 34,849

Re: Application No. 09/423,401; Filed November 5, 1999
Entitled METHOD OF SELECTIVE POST-GROWTH TUNING OF AN
OPTICAL BANDGAP OF A SEMI-CONDUCTOR HETEROSTRUCTURE
AND PRODUCTS PRODUCED THEREOF

File: 36368/DRK/L359

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE
PATENT AND TRADEMARK OFFICE ON November 26, 2002.


Elizabeth A. Jue

For Office Services Only
Return to Elizabeth A. Jue

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Pasadena, CA 91109-7068
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty
Legal Office

Address: Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

JUL 31 2000

Daniel R. Kimbell
CHRISTIE, PARKER & HALE
P.B. Box 7068
Pasadena, CA 91109-7068

In re Application of
LI et al
Application No.: 09/423,401

PCT No.:

International Filing Date:

Communication

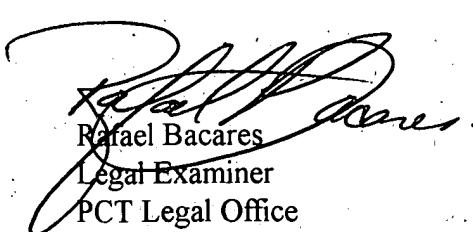
Priority Date Claimed: 06 November 1998

Attorney Docket Number: 36368/DRK

For: METHOD OR SELECTIVE POST-GROWTH TUNING
OF AN OPTICAL BANDGAP OF A SEMI-CONDUCTOR
HETEROSTRUCTURE AND PRODUCTS PRODUCED
THEREFORE

A review of the above-captioned application reveals that applicants have not provided the international application number (PCT number), or the international filing date with the transmittal letter and other documents submitted 05 November 1999.

Applicants must provide this information within ONE (1) MONTH from the mail date of this notification. Failure to respond will result in the abandonment of this application.


Rafael Bacares
Legal Examiner

PCT Legal Office
Telephone: (703) 308-6312
Facsimile: (703) 308-6459


Boris Milef
Legal Examiner
PCT Legal Office